

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVID LANE JOHNSON,

Plaintiff,

v.

NATIONAL FOOTBALL LEAGUE
PLAYERS ASSOCIATION, ET AL.,

Defendants.

Civil Action No. 1:17-cv-05131-RJS

DECLARATION OF HEATHER MCPHEE

I, HEATHER MCPHEE, declare as follows:

1. I am the Associate General Counsel of the National Football League Players Association (“NFLPA”) and have held that position since joining the NFLPA in 2009. I am submitting this declaration in support of the NFLPA’s Motion for Summary Judgment, submitted herewith. Among other responsibilities for the NFLPA, I am involved with administering the Performance-Enhancing Substances Policy (“2015 Policy”).

2. I am not aware of—and do not believe there were any—oral agreements between the NFLPA and the NFL to modify the 2015 Policy.

I declare under penalty of perjury that the foregoing is true and correct to the best of my recollection and knowledge.

Executed on November 2, 2018.



HEATHER M. MCPHEE